

5 Cultural Resource Management

The National Park Service will preserve and foster appreciation of the cultural resources in its custody, and will demonstrate its respect for the peoples traditionally associated with those resources, through appropriate programs of research, planning, and stewardship.



Children in the shadow of the Edmund Pettus Bridge learn the history of the 1965 Selma to Montgomery voting rights march, which led to passage of the Voting Rights Act of 1965.

The National Park Service is the steward of many of America's most important cultural resources. These resources are categorized as archeological resources, cultural landscapes, ethnographic resources, historic and prehistoric structures, and museum collections. The Service's cultural resource management program involves:

- Research to identify, evaluate, document, register, and establish basic information about cultural resources and traditionally associated¹ peoples;
- Planning to ensure that management processes for making decisions and setting priorities integrate information about cultural resources, and provide for consultation and collaboration with outside entities; and
- Stewardship to ensure that cultural resources are preserved and protected, receive appropriate treatments (including maintenance), and are made available for public understanding and enjoyment.

The cultural resource management policies of the National Park Service are derived from a suite of historic preservation, environmental, and other laws, proclamations, Executive orders, and regulations. A comprehensive list can be found in the Cultural Resource Management Handbook issued pursuant to Director's Order #28. Taken collectively, they provide the Service with the authority and responsibility for managing cultural resources in every unit of the national park system so that those resources may be preserved unimpaired for future generations. Cultural resource management will be carried out in a manner consistent with these legislative and regulatory provisions, and with implementing policies and procedures such as the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation (48 Federal Register (FR) 44716-740), and Standards and Guidelines for Federal Agency Historic Preservation Programs Pursuant to the National Historic Preservation Act (63 FR 20497-508).

Park superintendents and appropriately qualified cultural resource professionals will work together to carry out the Park Service's cultural resource management program. Other NPS staff and volunteers participating in cultural resource research, planning, and stewardship activities will be supervised by full-performance-level cultural resource professionals of the appropriate disciplines. Law enforcement professionals will consult with full-performance-level cultural resource professionals of the appropriate disciplines when investigating cultural resource crimes.

The Service will support its cultural resource professionals in maintaining and improving their disciplinary knowledge and

skills and in promoting their professionalism through continuing education, graduate-level courses, seminars, training, teaching, attendance at professional conferences, and other programs sponsored by professional or scholarly institutions. NPS personnel with cultural resource responsibilities will acquire and maintain the knowledge, skills, and abilities necessary to carry out those responsibilities. All occupational groups in or associated with cultural resource research, planning, and stewardship activities will complete the relevant cultural resource competency requirements commensurate with their job and grade.

Park superintendents and cultural resource professionals will ensure that research about and stewardship of cultural resources are carried out only after adequate planning and consultation with interested or affected stakeholders and other outside entities.

(See Decision-making Requirements to Avoid Impairments 1.4.7. Also see NHPA [16 USC 470h-4]; Secretary of the Interior's Professional Qualification Standards [48 FR 44738-44739]; Employee Training and Development Planning and Tracking Kit [1996])

5.1 Research

5.1.1 National Park Service Research

The National Park Service will conduct a vigorous interdisciplinary program of research into the cultural resources of each park. The principal goals of such research will be to:

- Ensure a systematic, adequate, and current information base representing the park's cultural resources and traditionally associated peoples, in support of planning, management, and operations;
- Ensure appropriate protection, preservation, treatment, and interpretation of cultural resources, employing the best current scholarship;
- Develop approaches for managing park cultural and natural resources that ensure consideration of the views held by traditionally associated peoples and others, as appropriate;
- Collect data on subsistence and other consumptive uses of park resources in order to reach informed decisions; and
- Develop appropriate technologies and methods for monitoring, protecting, preserving, and treating cultural resources.

Adequate research to support informed planning and compliance with legal requirements will precede any final decisions about the treatment of cultural resources, or about park operations, development, and natural resource management activities that might affect cultural resources. Research will be periodically updated to reflect changing issues, sources, and methods. Research needs will be identified and justified in a park's approved resource management plan.

A written scope of work, research design, project agreement, proposal, or other description of work to be performed will be prepared and approved before any research is conducted. All archeological research, whether for inventory, data recovery, or other purposes, must comply with the Archaeological Resources Protection Act of 1979 (ARPA), the Antiquities Act, and the Native American Graves Protection and Repatriation Act (NAGPRA), as applicable. The National Park

¹ For purposes of these Management Policies, social/cultural entities such as tribes, communities, and kinship units are "traditionally associated" with a particular park when:

- The entity regards the park's resources as essential to its development and continued identity as a culturally distinct people; and
- The association has endured for at least two generations (40 years); and
- The association began prior to the establishment of the park. See "Evaluation and Categorization" 5.1.3.2; and "Ethnographic Resources" in the Cultural Resource Management Handbook.

Service will not take or allow any action that reduces the research potential of cultural resources without first performing an appropriate level of research, consultation, and documentation. Because research involving physical intervention into cultural resources or the removal of objects or specimens is a destructive process entailing an irretrievable commitment of the resources, and often affecting traditional practices associated with the resources, research in parks will employ non-destructive methods to the maximum extent feasible.

The features of sites, landscapes, and structures will be left in place unless impracticable. Field data, objects, specimens, and features of sites and structures retrieved for preservation during cultural resource research and treatment projects, together with associated records and reports, will be managed within the park museum collection.

Research conducted by NPS personnel, contractors, and cooperative researchers will be subjected to peer review both inside and outside the Service, to ensure that it meets professional standards, reflects current scholarship, and adheres to the principles of conduct for the appropriate discipline. The data and knowledge acquired through research will be recorded on permanent and durable (long-lived) media, documented in the appropriate Service-wide databases, and placed permanently in park museum and library collections and park files. This information will be made widely available, and be incorporated, as appropriate, into park planning documents, exhibits, and interpretive programs. As appropriate, information will be shared with proper state and tribal historic preservation offices and certified local governments.

Certain research data may be withheld from public disclosure to protect sensitive or confidential information about archeological, historic, or other NPS resources when doing so would be consistent with FOIA. In many circumstances, this will allow the NPS to withhold information about ethnographic resources.

(See Park Planning Processes 2.3; Studies and Collections 4.2; Confidentiality 5.2.3; Research 7.5.4; Native American Use 8.5. Also see 36 CFR Part 800; 43 CFR Parts 3, 7, and 10; NHPA; Secretary of the Interior's Standards and Guidelines for Preservation Planning [48 FR 44716-720]; Secretary of the Interior's Standards and Guidelines for Historical Documentation [48 FR 44728-730]; Director's Order #28: Cultural Resource Management; Cultural Resource Management Handbook 28)

5.1.2 Independent Research

The National Park Service will promote relationships with individuals and organizations qualified to perform research, and encourage them to direct their research toward park management objectives and the broader contexts within which park resources exist. The Park Service will encourage independent researchers to follow the Secretary of the Interior's standards and guidelines and those of the Park Service to the fullest extent possible, and will require that the views of traditionally associated peoples be fully considered.

Research that includes taking plants, fish, wildlife, rocks, or minerals must comply with the permit requirements of 36 CFR 2.5. Permits that would allow cultural resources to be physically disturbed, or allow objects or specimens to be

collected, will be issued only when there is compelling evidence that the proposed research is essential to significant research concerns, and that the purpose of the research can be reasonably achieved only by using park resources. As appropriate, permits may require researchers to provide for the long-term preservation and management of any recovered objects and specimens and for their cataloging, together with any associated records, in the NPS museum cataloging system. Independent researchers will be authorized to conduct archeological research on park lands only through the issuance of an ARPA or Antiquities Act permit by the appropriate regional director. This permitting authority cannot be further delegated. As appropriate, parks will also issue other necessary permits, such as a special use permit. Archeological research conducted by independent researchers must comply with NAGPRA, when applicable.

NPS facilities, collections, and assistance will be made available to qualified scholars conducting NPS-authorized research, as long as park operations are not substantially impeded or park resources adversely impacted thereby. *(See Independent Studies 4.2.2; Consultation 5.2.1; Natural and Cultural Studies, Research, and Collection Activities 8.10. Also see 43 CFR Parts 3, 7, and 10)*

5.1.3 Identification and Evaluation of Resources

The National Park Service will conduct surveys to identify and evaluate the cultural resources of each park, assessing resources within their larger cultural, chronological, and geographic contexts. The resulting inventories will provide the substantive data required for (1) nominating resources to the National Register of Historic Places; (2) general park planning and specific proposals for preserving, protecting, and treating cultural resources; (3) land acquisition, development, and maintenance activities; (4) interpretation, education, and natural and cultural resource management activities; and (5) compliance with legal requirements.

5.1.3.1 Inventories

The Park Service will (1) maintain and expand the following inventories about cultural resources in units of the national park system, (2) enter information into appropriate related databases, and (3) develop an integrated information system:

- Archeological sites inventory for historic and prehistoric archeological resources and the related Archeological Sites Management Information System (ASMIS) database;
- Cultural landscapes inventory of historic designed landscapes, historic vernacular landscapes, ethnographic landscapes, and historic sites, and the related Cultural Landscapes Automated Inventory Management System (CLAIMS) database;
- Ethnographic Resources Inventory (ERI) of places, including sites, structures, objects, landscapes, and natural resources with traditional cultural meaning and value to associated peoples and other resource users;
- List of Classified Structures (LCS), encompassing historic and prehistoric structures; and
- National Catalog of Museum Objects, encompassing all cultural objects, archival and manuscript materials, and natural history specimens in NPS collections and the related automated version, the Automated National Catalog System (ANCS+ or its successor).

(See *Park Planning Processes 2.3*; *Confidentiality 5.2.3*. Also see *Secretary of the Interior's Standards and Guidelines for Identification [48 FR 44720-723]*; *Director's Order #28*; *Cultural Resource Management Handbook*)

5.1.3.2 Evaluation and Categorization

Cultural resources will be professionally evaluated and categorized to assist in management decisions about their treatment and use. Cultural resources will be evaluated for significance using National Register Criteria for Evaluation (36 CFR 60.4), and those meeting the criteria will be nominated for listing. Museum collections are inappropriate for listing and will not be evaluated using these criteria. Some collections in their original structures can be included as contributing elements to a listed structure. As appropriate, cultural resources will be categorized using other management categories established by the National Park Service and listed in the Cultural Resource Management Handbook. Cultural resource professionals will evaluate cultural resources in consultation with the appropriate state and tribal historic preservation officers. Ethnographically meaningful cultural and natural resources, including traditional cultural properties, will be identified and evaluated in consultation with peoples having traditional associations to park resources. Examples of traditionally associated peoples include Acadians, African Americans, Hispanic Americans, and Native Americans. (For editorial convenience, in these Management Policies the term "Native Americans" includes American Indians, Alaskan natives, native peoples of the Caribbean, native Hawaiians, and other native Pacific islanders.) Some ethnographically meaningful resources do not meet National Register Criteria for Evaluation, but will be inventoried in consultation with traditionally associated peoples and considered in management decisions about treatment and use.

(See *Consultation 5.2.1*. Also see *Secretary of the Interior's Standards and Guidelines for Evaluation [48 FR 44723-726]*)

5.1.3.2.1 National Register Nomination

Park resources that appear to meet the criteria for the National Register of Historic Places will be nominated—either individually, as components of historic districts, or within multiple property nominations—for listing by the Keeper of the National Register. National historic sites, national historical parks, and other parks significant primarily for their cultural resources are entered automatically in the National Register upon establishment. However, nomination forms will be prepared and submitted to document the qualifying and contributing features of such parks and other National-Register-eligible resources within them.

(Also see *36 CFR Parts 60 and 63*; *Secretary of the Interior's Standards and Guidelines for Registration [48 FR 44726-728]*; *National Register Bulletins 16A and 16B [Guidelines for Completing National Register of Historic Places Forms]*)

5.1.3.2.2 National Historic Landmark Designation

Historic and cultural units of the national park system are nationally significant by virtue of their authorizing legislation or Presidential proclamation. National historic landmark designations are appropriate for park cultural resources that

meet National historic landmark criteria if the national significance of those resources is not adequately recognized in the park's authorizing legislation or Presidential proclamation. Cultural parks may warrant landmark designation as parts of larger areas encompassing resources associated with their primary themes. Modified National Register forms will be prepared and submitted to nominate such resources for landmark designation by the Secretary of the Interior.

(Also see *36 CFR Part 65*)

5.1.3.2.3 World Heritage List Designation

Park cultural properties believed to possess outstanding universal value to humanity may qualify for World Heritage List designation. Proposals for the nomination of such resources by the United States will be prepared and submitted to document the case for this designation by the United Nations Educational, Scientific and Cultural Organization.

(See *World Heritage Sites 4.3.7*. Also see *36 CFR Part 73*)

5.2 Planning

Effective park stewardship requires informed decision-making about a park's cultural resources. This is best accomplished through a comprehensive planning process. Effective planning is based on an understanding of what a park's cultural resources are, and why those resources are significant. To gain this understanding, the Service must obtain baseline data on the nature and types of cultural resources, and their (1) distribution; (2) condition; (3) significance; and (4) local, regional, and national contexts. Cultural resource planning, and the resource evaluation process that is part of it, will include consultation with cultural resource specialists and scholars having relevant expertise; traditionally associated peoples; and other stakeholders. Current scholarship and needs for research are considered in this process, along with the park's legislative history and other relevant information.

Planning decisions will follow analysis of how proposals might affect the values that make resources significant, and the consideration of alternatives that might avoid or mitigate potential adverse effects. Planning will always seek to avoid harm to cultural resources, and consider the values of traditionally associated groups. To ensure that approaches and alternatives for resource preservation have been identified and considered, planning processes that could affect cultural resources must include cultural resource specialists, traditionally associated peoples, and other stakeholders, and provide them with appropriate notification about opportunities to become involved.

The general management planning process will include goals and strategies for research on, consultation about, and stewardship of cultural resources, and for research on and consultation with traditionally associated and other peoples. Planning for park operations, development, and natural resource management activities will integrate relevant concerns and program needs for identifying, evaluating, monitoring, protecting, preserving, and treating cultural resources.

Superintendents will ensure full consideration of the park's cultural resources and values in all proposals for operations, development, and natural resource programs, including the

management of wilderness areas. When proposed undertakings may adversely affect national historic sites, national battlefields, and other predominantly cultural units of the national park system that were established in recognition of their national historical significance, superintendents will provide opportunities for the same level of review and consideration by the Advisory Council on Historic Preservation and the Secretary of the Interior that the Advisory Council's regulations require for undertakings that may adversely affect national historic landmarks (36 CFR 800.10).

Each park will prepare and periodically update cultural resource components of the park's management plans. Resource plans will define and program activities needed to identify, evaluate, manage, monitor, protect, preserve, and treat the park's cultural resources, as well as provide for their enjoyment and understanding by the public.

(See Decision-making Requirements to Avoid Impairments 1.4.7; Strategic Planning 2.3.2; Implementation Planning 2.3.3. Also see Executive Order 13007; Secretary of the Interior's Standards and Guidelines for Federal Agency Historic Preservation Programs Pursuant to the National Historic Preservation Act [63 FR 20496-508]; Secretary of the Interior's Standards and Guidelines for Preservation Planning [48 FR 44716-720]; Secretary of the Interior's Standards for the Treatment of Historic Properties)

5.2.1 Consultation

The National Park Service is committed to the open and meaningful exchange of knowledge and ideas to enhance (1) the public's understanding of park resources and values, and the policies and plans that affect them; and (2) the Service's ability to plan and manage the parks by learning from others. Open exchange requires that the Service seek and employ ways to reach out to, and consult with, all those who have an interest in the parks.

Each park superintendent will consult with outside parties having an interest in the park's cultural resources or in proposed NPS actions that might affect those resources, and provide them with opportunities to learn about, and comment on, those resources and planned actions. Consultation may be formal, as when it is required pursuant to NAGPRA or Section 106 of the NHPA, or it may be informal when there is not a specific statutory requirement. Consultation will be initiated, as appropriate, with tribal, state, and local governments; state and tribal historic preservation officers; the Advisory Council on Historic Preservation; other interested federal agencies; traditionally associated peoples; present-day park neighbors; and other interested groups.

Consultations on proposed Park Service actions will take place as soon as practical, and in an appropriate forum that ensures, to the maximum extent possible, effective communication and the identification of mutually acceptable alternatives. The Service will establish and maintain continuing relationships with outside parties to facilitate future collaboration, formal consultations, and the ongoing informal exchange of views and information on cultural resource matters.

Since national parks embody resources and values of interest to a national audience, efforts to reach out and consult must be national in scope. But the Service will be especially mindful of consulting with traditionally associated peoples— those whose cultural systems or ways of life have an association with park resources and values that pre-dates establishment of the park. Traditionally associated peoples may include park neighbors, traditional residents, and former residents who remain attached to the park area despite having relocated. Examples of traditionally associated peoples include American Indians in the contiguous 48 states, Alaska Natives, African Americans at Jean Lafitte, Asian Americans at Manzanar, and Hispanic Americans at Tumacacori.

In particular, it is essential to consult traditionally associated peoples about:

- Proposed research on, and stewardship of, cultural and natural resources with ethnographic meaning for the groups;
- Development of park planning and interpretive documents that may affect resources traditionally associated with the groups;
- Proposed research that entails collaborative study of the groups;
- Identification, treatment, use, and determination of affiliation of objects subject to NAGPRA;
- Repatriation of Native American cultural items or human remains based on requests by affiliated groups in accordance with NAGPRA;
- Planned excavations and proposed responses to inadvertent discoveries of cultural resources that may be culturally affiliated with the groups;
- Other proposed NPS actions that may affect the treatment and use of, and access to, cultural and natural resources with known or potential cultural meaning for the groups; and
- Designation of National Register, national historic landmark, and world heritage sites.

Consultation with federally recognized American Indian tribes will be on a government-to-government basis. The Service will notify appropriate tribal authorities (such as tribal historic preservation officers) about proposed actions when first conceived, and by subsequently consulting their appointed representatives whenever proposed actions may affect tribal interests, practices, and traditional resources (such as places of religious value).

When engaging in the consultation process, group meetings may be held only for the purpose of exchanging views and information, and to solicit individual advice on proposed NPS actions. NPS may not hold meetings to obtain consensus advice from a group unless the group is chartered pursuant to the Federal Advisory Committee Act (FACA). FACA does not apply to inter-governmental meetings held exclusively between NPS officials and elected officers of tribal governments (or their designated employees with authority to act on their behalf) acting in their official capacities, when the meetings relate to intergovernmental responsibilities or administration.

(See Ethnographic Resources 5.3.5.3. Also see ARPA; NAGPRA; NEPA; NHPA [16 USC 470f]; 36 CFR Part 800;

40 CFR Parts 1500-1508; 41 CFR Part 101.; 43 CFR Parts 7 and 10; *Executive Memorandum on Government-to-Government Relations with Native American Tribal Governments*; *Executive Order 13007*; *Executive Order 13175*; 512 *Department of the Interior Manual [DM] 2*; *Director's Order #71: Relationships with Indian Tribes*; *NPS Guide to the Federal Advisory Committee Act*)

5.2.2 Agreements

The National Park Service will seek to establish mutually beneficial agreements with interested groups to facilitate collaborative research, consultation, park planning, training, and cooperative management approaches with respect to park cultural resources and culturally important natural resources. The goal of the NPS is to allow traditionally associated peoples to exercise traditional cultural practices in parks to the extent allowable by law, and consistent with the criteria listed in section 8.2. To the extent this goal can be legally reached through agreements, park superintendents should do so.

Whenever parks have cultural resources that are owned or managed by others, agreements will clarify how the resources are to be managed. Agreements will provide ways for periodically reviewing their effectiveness and making mutually agreed-upon modifications, and for avoiding and resolving disagreements and disputes. All agreements will conform to the requirements of Director's Order #20: Agreements.

(See *Decision-making Requirements to Avoid Impairments 1.4.7*; *Partnerships 1.9*; *Partnerships 4.1.4*; *Park Structures Owned or Managed by Others 5.3.5.4.8*; *Submerged Cultural Resources 5.3.5.1.7*; *Native American Use 8.5*; *Consumptive Uses 8.9*. Also see *Executive Order 13007*; 36 CFR 2.1)

5.2.3 Confidentiality

Sensitive or confidential information is sometimes acquired during consultations and during other research, planning, and stewardship activities. Under certain circumstances, and to the extent permitted by law, information about the specific location, character, nature, ownership, or acquisition of cultural resources on park lands will be withheld from public disclosure. If a question arises about withholding information, and disclosure could result in a significant invasion of privacy or a risk of harm to a cultural resource, the Park Service will consult the provisions of ARPA (16 USC 470hh); the National Parks Omnibus Management Act (16 USC 5937); and NHPA (16 USC 470w-3) before making a decision. Under some conditions, the Service may be required by law to disclose confidential information acquired during consultations, public meetings, and other research, planning, and stewardship activities, or in association with the acquisition of resources, including museum collections. Before these activities occur, NPS staff and authorized researchers will make every effort to inform affected parties that, while the information they provide will not be shared voluntarily, confidentiality cannot be guaranteed.

To the extent permitted by law, the Service will withhold from public disclosure (1) information provided by individuals who wish the information to remain confidential, and (2) the identities of individuals who wish to remain anonymous and who are protected from release by exemption under FOIA. In each instance, the Service will document its decision to disseminate or withhold sensitive or confidential information from public disclosure.

More detailed guidance on sensitive and confidential information can be found in Director's Order #66: The Freedom of Information Act and Protected Information; and the Museum Handbook, Part III.

(See *Managing Information 1.7*. Also see 43 CFR Part 2; 43 CFR 7.18; *Privacy Act*)

5.3 Stewardship

5.3.1 Protection and Preservation of Cultural Resources

The National Park Service will employ the most effective concepts, techniques, and equipment to protect cultural resources against theft, fire, vandalism, overuse, deterioration, environmental impacts, and other threats, without compromising the integrity of the resources.

5.3.1.1 Emergency Management:

Measures to protect or rescue cultural resources in the event of an emergency, disaster, or fire will be developed as part of a park's emergency operations and fire management planning processes. Designated personnel will be trained to respond to all emergencies in a manner that maximizes visitor and employee safety and the protection of resources and property.

(See *Emergency Preparedness and Emergency Operations 8.2.5.2*. Also see 36 CFR Part 78)

5.3.1.2 Fire Detection, Suppression, and Post-fire Rehabilitation and Protection

The NPS will take action to prevent or minimize the impact of wildland, prescribed, and structural fires on cultural resources, including the impact of suppression and rehabilitation activities.

In the preservation of historic structures and museum and library collections, every attempt will be made to comply with national building and fire codes. When these cannot be met without significantly impairing a structure's integrity and character, the management and use of the structure will be modified to minimize potential hazards, rather than modifying the structure itself.

Subject to the previous paragraph, when warranted by the significance of a historic structure or a museum or library collection, adequate fire detection, warning, and suppression systems will be installed. "Pre-fire plans" will be developed for historic structures and buildings housing museum or library collections, designed to identify the floor plan, utilities, hazards, and areas and objects requiring special protection. This information will be kept current and made available to local and park fire personnel.

Park and local fire personnel will be advised of the locations and characteristics of cultural resources threatened by fire, and of any priorities for protecting them during any planned or unplanned fire incident. At parks with cultural resources, park fire personnel will receive cultural resource protection training. At parks that have wildland or structural fire programs, cultural resource management specialists will receive fire prevention and suppression training and, when appropriate, will be certified for incident management positions commensurate with their individual qualifications.

Smoking will not be permitted in spaces housing museum or library collections, or in historic structures (except those used as residences in which smoking is permitted by the park superintendent).

(See Fire Management 4.5; Fire Management 6.3.9; Structural Fire Protection and Suppression 9.1.8. Also see Director's Order #18: Wildland Fire Management; Director's Order #58, and Reference Manual 58: Structural Fires)

5.3.1.3 Compensation for Damages

The National Park System Resource Protection Act authorizes the Park Service to take all necessary and appropriate steps to recover costs and damages from any person who destroys, causes the loss of, or injures any resource of the national park system. When such incidents involve cultural resources, the Service will:

- Prevent or minimize the destruction or loss of, or injury to, the cultural resource, or abate or minimize the imminent risk of such destruction, loss, or injury;
- Assess and monitor damage to the cultural resource;
- Recover any and all costs associated with the restoration or replacement of the cultural resource, or with the acquisition of an equivalent resource;
- Recover the value of any significant loss of use of the cultural resource pending its restoration or replacement or the acquisition of an equivalent, or the value of the cultural resource in the event it cannot be restored or replaced; and
- Recover any and all costs incurred in responding to, assessing, and/or monitoring damage to the cultural resource.

(See Compensation for Injuries to Natural Resources 4.1.6)

5.3.1.4 Environmental Monitoring and Control

When necessary to preserve a historic structure or a museum collection, appropriate measures will be taken to control relative humidity, temperature, light, and air quality. When museum collections are housed in a historic structure, the needs of both the collection and the structure will be identified and evaluated, weighing relative rarity and significance, before environmental control measures are introduced. The environmental conditions of all areas housing museum collections will be regularly monitored, according to a schedule specific to each condition, to determine whether appropriate levels of relative humidity, temperature, and light are being maintained.

(See Air Quality 4.7.1. Also see Director's Order #24: Museum Management)

5.3.1.5 Pest Management

The Park Service will follow an integrated pest management approach in addressing pest problems (including invasive vegetation) related to cultural resources. Pest occurrences will be dealt with on a case-by-case basis. Available pest management methods, as described in Director's Order #77-7, will be reviewed to determine the most effective and lowest risk management strategy.

(See Pest Management 4.4.5)

5.3.1.6 Carrying Capacity

Park superintendents will set, enforce, and monitor carrying capacities to limit public visitation to, or use of, cultural resources that would be subject to adverse effects from unrestricted levels of visitation or use. This will include (1) reviewing the park's purpose; (2) analyzing existing visitor use of, and related impacts to, the park's cultural resources and traditional resource users; (3) prescribing indicators and specific standards for acceptable and sustainable visitor use; and (4) identifying ways to address and monitor unacceptable impacts resulting from overuse. Studies to gather basic data and make recommendations on setting, enforcing, and monitoring carrying capacities for cultural resources will be conducted in collaboration with cultural resource specialists representing the appropriate disciplines.

(See Visitor Carrying Capacity 8.2.1)

5.3.2 Physical Access for Persons with Disabilities

The National Park Service will provide persons with disabilities the highest feasible level of physical access to historic properties that is reasonable, consistent with the preservation of each property's significant historical features. Access modifications for persons with disabilities will be designed and installed to least affect the features of a property that contribute to its significance. Modifications to some features may be acceptable in providing access, once a review of options for the highest level of access has been completed. However, if it is determined that modification of particular features would impair a property's integrity and character in terms of the Advisory Council's regulations at 36 CFR 800.9, such modifications will not be made.

To the extent possible, modifications for access will benefit the greatest number of visitors, staff, and the public, and be integrated with, or in proximity to, the primary path of travel for entrances and from parking areas. In situations where access modifications cannot be made, alternative methods of achieving program access will be adopted.

(See Access to Interpretive and Educational Opportunities 7.5.1; Accessibility for Persons with Disabilities 8.2.4; Accessibility for Persons with Disabilities 9.1.2; Accessibility of Commercial Services 10.2.6.2. Also see Director's Order #42: Accessibility for Visitors with Disabilities)

5.3.3 Historic Property Leases and Cooperative Agreements

The National Park Service may lease or permit the use of a historic property through a cooperative agreement, if such lease or cooperative agreement will ensure the property's preservation. Proposed uses must not unduly limit public appreciation of the property; interfere with visitor use and enjoyment of the park; or preclude use of the property for park administration, employee residences, or other management purposes judged more appropriate or cost effective.

Each lease will be competitively offered. The government will receive at least fair market rental value, adjusted for investments required of the lessee. The term of the lease will be the shortest time needed for the proposed use, taking into account required lessee investments, the common practice for the type of lease, possible future alternatives for the property, and other relevant factors. No lease will exceed 50 years. As

authorized by the National Parks Omnibus Management Act (16 USC 1a-2(k)), a lessee may use a property to provide a commercial service if the service will be patronized by park visitors only to a minor extent.

Cooperative agreements to maintain, repair, rehabilitate, restore, or build upon a historic property can be entered into with state, local, and tribal governments; other public entities; educational institutions; and private non-profit organizations.

If a lease or cooperative agreement requires or allows the lessee or cooperator to maintain, repair, rehabilitate, restore, or build upon the property, it will require the work be done in accordance with applicable Secretary of the Interior's standards and guidelines and other NPS policies, guidelines, and standards.

(Also see NHPA [16 USC 470h-3]; 16 USC 460l-22(a); Omnibus Consolidated Appropriations Act, 1997 [16 USC 1g]; 36 CFR Part 18)

5.3.4 Stewardship of Human Remains and Burials

Marked and unmarked prehistoric and historic burial areas and graves will be identified, evaluated, and protected. Every effort will be made to avoid impacting burial areas and graves when planning park development and managing park operations. Such burial areas and graves will not knowingly be disturbed or archeologically investigated unless threatened with destruction.

The Service will consult with American Indian tribes, other Native American groups, and other individuals and groups linked by demonstrable ties of kinship or culture to potentially identifiable human remains when such remains may be disturbed or are inadvertently encountered on park lands. Re-interment at the same park may be permitted, and may include remains that may have been removed from lands now within the park.

Native American human remains and photographs of such remains will not be exhibited. Drawings, renderings, or casts of such remains may be exhibited with the consent of culturally affiliated Indian tribes and native Hawaiian organizations. The exhibit of non-Native American human remains, or photographs, drawings, renderings, or casts of such remains, is allowed in consultation with traditionally associated peoples. The Service may allow access to, and study, publication, and destructive analysis of, human remains, but must consult with traditionally associated peoples and consider their opinions and concerns before making decisions on appropriate actions. In addition, such use of human remains will occur only with an approved research proposal that describes why the information cannot be obtained through other sources or analysis, and why the research is important to the field of study and the general public.

(See Cultural Resources 6.3.8; Consultation 7.5.5; Cemeteries and Burials 8.6.10. Also see ARPA; NAGPRA; 36 CFR Part 79; 43 CFR Part 10)

5.3.5 Treatment of Cultural Resources

The Park Service will provide for the long-term preservation of, public access to, and appreciation of, the features, materials, and qualities contributing to the significance of cultural resources. With some differences by type, cultural resources are subject to several basic treatments, including (1) preservation in their existing states; (2) rehabilitation to serve contemporary uses, consistent with their integrity and character; and (3) restoration to earlier appearances by the removal of later additions and replacement of missing elements. Decisions regarding which treatments will best ensure the preservation and public enjoyment of particular cultural resources will be reached through the planning and compliance process, taking into account:

- The nature and significance of a resource, and its condition and interpretive value;
- The research potential of the resource;
- The level of intervention required by treatment alternatives;
- The availability of data, and the terms of any binding restrictions; and
- The concerns of traditionally associated peoples and other stakeholders.

Except for emergencies that threaten irreparable loss without immediate action, no treatment project will be undertaken unless supported by an approved planning document appropriate to the proposed action.

The preservation of cultural resources in their existing states will always receive first consideration. Treatments entailing greater intervention will not proceed without the consideration of interpretive alternatives. The appearance and condition of resources before treatment, and changes made during treatment, will be documented. Such documentation will be shared with any appropriate state or tribal historic preservation office or certified local government, and added to the park museum cataloging system. Pending treatment decisions reached through the planning process, all resources will be protected and preserved in their existing states.

As a basic principle, anything of historical appearance that the National Park Service presents to the public in a park will be either an authentic survival from the past, or an accurate representation of that once existing there. Reconstructions and reproductions will be clearly identified as such.

The Service will holistically approach the treatment of related cultural resources in a park. All cultural resource and natural resource values will be considered in defining specific treatment and management goals. Research will be coordinated and sequenced so that decisions are not made in isolation. Each proposed action will be evaluated to ensure consistency or compatibility in the overall treatment of park resources. The relative importance and relationship of all values will be weighed to identify potential conflicts between and among resource preservation goals, park management and operation goals, and park user goals. Conflicts will be considered and resolved through the planning process, which will include any consultation required by 16 USC 470f.

Although each resource type is most closely associated with a particular discipline, an interdisciplinary approach is commonly needed to properly define specific treatment and management goals for cultural resources. Policies applicable to the various resource types follow.

(See Park Management 1.4; Park Planning Processes 2.3; Planning 5.2; Cultural Resources 6.3.8. Also see NEPA; Secretary of the Interior's Standards for the Treatment of Historic Properties)

5.3.5.1 Archeological Resources

Archeological resources will be managed in situ, unless the removal of artifacts or physical disturbance is justified by research, consultation, preservation, protection, or interpretive requirements. Preservation treatments will include proactive measures that protect resources from vandalism and looting, and maintain or improve their condition by limiting damage due to natural and human agents. Data recovery actions will be taken only in the context of planning, consultation, and appropriate decision-making. Preservation treatments and data recovery activities will be conducted within the scope of an approved research design. Archeological research will use non-destructive methods of testing and analysis wherever possible. The Park Service will incorporate information about archeological resources into interpretive and educational, and preservation, programs. Artifacts and specimens recovered from archeological resources, along with associated records and reports, will be maintained together in the park museum collection.

(Also see 36 CFR Part 79; Secretary of the Interior's Standards and Guidelines for Archeological Documentation [48 FR 44734-737]; Museum Handbook)

5.3.5.1.1 Preservation

Archeological resources will be maintained and preserved in a stable condition to prevent degradation and loss. The condition of archeological resources will be documented, regularly monitored, and evaluated against initial baseline data. Parks are encouraged to enlist concerned local citizens in site stewardship programs to patrol and monitor the condition of archeological resources. The preservation of archeological components of cultural landscapes, structures, and ruins are also subject to the treatment policies for cultural landscapes, historic and prehistoric structures, and historic and prehistoric ruins.

5.3.5.1.2 Stabilization

Archeological resources subject to erosion, slumping, subsidence, or other natural deterioration will be stabilized using the least intrusive and destructive methods. The methods used will protect natural resources and processes to the maximum extent feasible. Stabilization will occur only after sufficient research demonstrates the likely success of the proposed stabilizing action, and after existing conditions are documented.

5.3.5.1.3 Rehabilitation, Restoration, and Reconstruction

These terms are normally related to the treatment of historic structures and cultural landscapes. The Park Service will not normally undertake the rehabilitation, restoration, or reconstruction of archeological resources or features. Archeological studies undertaken in conjunction with the rehabilitation or restoration of cultural landscapes, structures, or ruins, or with

the reconstruction of obliterated cultural landscapes or missing structures, will be guided by the treatment policies for archeological resources, as well as those for the other associated resource types.

5.3.5.1.4 Protection

Archeological resources will be protected against human agents of destruction and deterioration whenever practicable. Archeological resources subject to vandalism and looting will be periodically monitored, and, if appropriate, fencing, warning signs, remote-sensing alarms, and other protective measures will be installed. Training and public education programs will be developed to make park staff and the public aware of the value of the park's archeological resources, and the penalties for destroying them. For public safety reasons, local citizens who are monitoring resources under site stewardship programs will be instructed to report incidents of vandalism and looting to law enforcement personnel for response.

(See Volunteers in Parks 7.6.1; Shared Responsibilities 8.3.3)

5.3.5.1.5 Archeological Data Recovery

Archeological data recovery is permitted if justified by research or interpretation needs. Significant archeological data that would otherwise be lost as a result of resource treatment projects or uncontrollable degradation or destruction will be recovered in accordance with appropriate research proposals and preserved in park museum collections. Data will be recovered to mitigate the loss of significant archeological data due to park development, but only after:

- The redesign, relocation, and cancellation of the proposed development have all been considered and ruled out as infeasible through the planning process;
- The park development has been approved; and
- The project has provided for data recovery, cataloging, and the initial preservation of recovered collections.

(See Planning 5.2)

5.3.5.1.6 Earthworks

Appropriate—and, when feasible, native—vegetation will be maintained when necessary to prevent the erosion of prehistoric and historic earthworks, even when the historic condition might have been bare earth. Because earthwork restorations and reconstructions can obliterate surviving remains and are often difficult to maintain, other means of representing and interpreting the original earthworks will receive first consideration.

(See Management of Native Plants and Animals 4.4.2; Management of Exotic Species 4.4.4)

5.3.5.1.7 Submerged Cultural Resources

Historic shipwrecks and other submerged cultural resources will be protected, to the extent permitted by law, in the same manner as terrestrial archeological resources. Protection activities involve inventory, evaluation, monitoring, interpretation, and establishing partnerships to provide for the management of historic shipwrecks and other submerged cultural resources in units of the national park system. The Service will not allow treasure hunting or commercial salvage activities at or around historic shipwrecks or other submerged cultural resources

located within park boundaries unless legally obligated to do so. Parks may provide recreational diving access to submerged cultural resources that are not susceptible to damage or the removal of artifacts. The Service will ensure that the activities of others in park waters do not adversely affect submerged cultural resources or the surrounding natural environment. The Service will consult with the owners of non-abandoned historic shipwrecks, and enter into written agreements with them to clarify how the shipwrecks will be managed by the NPS. Shipwrecks owned by a state government pursuant to the Abandoned Shipwreck Act of 1987 will be managed in accordance with the Abandoned Shipwreck Act Guidelines (55 FR 50116-145, 55 FR 51528, and 56 FR 7875).

(See Recreational Activities 8.2.2. Also see 36 CFR Part 2; 485 DM 27; Director's Order #4: Diving Management)

5.3.5.2 Cultural Landscapes

The treatment of a cultural landscape will preserve significant physical attributes, biotic systems, and uses when those uses contribute to historical significance. Treatment decisions will be based on a cultural landscape's historical significance over time, existing conditions, and use. Treatment decisions will consider both the natural and built characteristics and features of a landscape, the dynamics inherent in natural processes and continued use, and the concerns of traditionally associated peoples.

The treatment implemented will be based on sound preservation practices to enable long-term preservation of a resource's historic features, qualities, and materials. There are three types of treatment for extant cultural landscapes: preservation, rehabilitation, and restoration.

(See Decision-making to Avoid Impairments 1.4.7. Also see Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes)

5.3.5.2.1 Preservation

A cultural landscape will be preserved in its present condition if:

- That condition allows for satisfactory protection, maintenance, use, and interpretation; or
- Another treatment is warranted but cannot be accomplished until some future time.

5.3.5.2.2 Rehabilitation

A cultural landscape may be rehabilitated for contemporary use if:

- It cannot adequately serve an appropriate use in its present condition; and
- Rehabilitation will retain its essential features, and will not alter its integrity and character or conflict with approved park management objectives.

5.3.5.2.3 Restoration

A cultural landscape may be restored to an earlier appearance if:

- All changes after the proposed restoration period have been professionally evaluated, and the significance of those changes has been fully considered;

- Restoration is essential to public understanding of the park's cultural associations;
- Sufficient data about that landscape's earlier appearance exist to enable its accurate restoration; and
- The disturbance or loss of significant archeological resources is minimized and mitigated by data recovery.

5.3.5.2.4 Reconstruction of Obliterated Landscapes

No matter how well conceived or executed, reconstructions are contemporary interpretations of the past, rather than authentic survivals from it. The National Park Service will not reconstruct an obliterated cultural landscape unless:

- There is no alternative that would accomplish the park's interpretive mission;
- Sufficient data exist to enable its accurate reconstruction, based on the duplication of historic features substantiated by documentary or physical evidence, rather than on conjectural designs or features from other landscapes;
- Reconstruction will occur in the original location;
- The disturbance or loss of significant archeological resources is minimized and mitigated by data recovery; and
- Reconstruction is approved by the Director.

A landscape will not be reconstructed to appear damaged or ruined. General representations of typical landscapes will not be attempted.

5.3.5.2.5 Biotic Cultural Resources.

Biotic cultural resources, which include plant and animal communities associated with the significance of a cultural landscape, will be duly considered in treatment and management. The cultural resource and natural resource components of the park's resource management plan will jointly identify acceptable plans for the management and treatment of biotic cultural resources. The treatment and management of biotic cultural resources will anticipate and plan for the natural and human-induced processes of change. The degree to which change contributes to or compromises the historic character of a cultural landscape, and the way in which natural cycles influence the ecological processes within a landscape, will both be understood before any major treatment is undertaken. Treatment and management of a cultural landscape will establish acceptable parameters for change, and manage the biotic resources within those parameters.

(See Maintenance of Altered Plant Communities 4.4.2.5)

5.3.5.2.6 Land Use and Ethnographic Value

Many cultural landscapes are significant because of their historic land use and practices. When land use is a primary reason for the significance of a landscape, the objective of treatment will be to balance the perpetuation of use with the retention of the tangible evidence that represents its history. The variety and arrangement of cultural and natural features in a landscape often have sacred or other continuing importance in the ethnic histories and cultural vigor of associated peoples. These features and their past and present-day uses will be identified, and the beliefs, attitudes, practices, traditions, and values of traditionally associated peoples will be considered in any treatment decisions.

Contemporary use of a cultural landscape is appropriate if it:

- Does not adversely affect significant landscape characteristics and features; and
- Either follows the historic use or does not impede public appreciation of it.

All uses of cultural landscapes are subject to legal requirements, policy, guidelines, and standards for natural and cultural resource preservation, public safety, and special park uses.

5.3.5.2.7 New Construction

Contemporary alterations and additions to a cultural landscape must not radically change, obscure, or destroy its significant spatial organization, materials, and features. New buildings, structures, landscape features, and utilities may be constructed in a cultural landscape if:

- Existing structures and improvements do not meet essential management needs;
- New construction is designed and sited to preserve the landscape's integrity and historic character; and
- Unless associated with an approved restoration or reconstruction, the alterations, additions, or related new construction is differentiated from, yet compatible with, the landscape's historic character.

New additions will meet the Secretary of the Interior's Standards for Rehabilitation.

5.3.5.3 Ethnographic Resources

Park ethnographic resources are the cultural and natural features of a park that are of traditional significance to traditionally associated peoples. These peoples are the contemporary park neighbors and ethnic or occupational communities that have been associated with a park for two or more generations (40 years), and whose interests in the park's resources began prior to the park's establishment. Living peoples of many cultural backgrounds—American Indians, Inuit (Eskimos), Native Hawaiians, African Americans, Hispanics, Chinese Americans, Euro-Americans, and farmers, ranchers, and fishermen—may have a traditional association with a particular park.

Traditionally associated peoples generally differ as a group from other park visitors in that they typically assign significance to ethnographic resources—places closely linked with their own sense of purpose, existence as a community, and development as ethnically distinctive peoples. These places may be in urban or rural parks, and may support ceremonial activities or represent birthplaces of significant individuals, group origin sites, migration routes, or harvesting or collecting places. While these places have historic attributes that are of great importance to the group, they may not necessarily have a direct association with the reason the park was established, or be appropriate as a topic of general public interest. Some ethnographic resources might also be traditional cultural properties. A traditional cultural property is one that is eligible for inclusion in the National Register of Historic Places because of its association with cultural practices or beliefs of a living community that are (1) rooted in that community's history, and (2) important in maintaining the continuing cultural identity of the community.

The Service's primary interest in these places stems from its responsibilities under

- The NPS Organic Act—to conserve the natural and historic objects within parks unimpaired for the enjoyment of future generations;
- NHPA—to preserve, conserve, and encourage the continuation of the diverse traditional prehistoric, historic, ethnic, and folk cultural traditions that underlie and are a living expression of our American heritage;
- AIRFA—to protect and preserve for American Indians access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites;
- ARPA—to secure, for the present and future benefit of the American people, the protection of archeological resources and sites which are on public lands; and
- NEPA—to preserve important historic, cultural, and natural aspects of our national heritage; and
- Executive Order 13007—to (1) accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and (2) avoid adversely affecting the physical integrity of such sacred sites.

The Service must therefore be respectful of these ethnographic resources, and carefully consider the effects that NPS actions may have on them. When religious issues are evident, the Service must also consider constraints imposed on federal agency actions by the first and fourteenth amendments to the U.S. Constitution.

The National Park Service will adopt a comprehensive approach that considers parks and traditionally associated and other peoples as interrelated members of an ecosystem. As an aid to appreciating the diverse human heritage and associated resources that characterize the national park system, the Service will identify the present-day peoples whose cultural practices and identities were, and often still are, closely associated with each park's cultural and natural resources.

ANILCA recognizes the importance of maintaining the Alaska Native culture, and contains several provisions that authorize activities by the NPS that would assist in the cultural preservation of Alaska Native communities. For many rural Alaskans, the land and the way of life are inseparable. The Service will explore opportunities in Alaska to forge a mutually beneficial relationship between Alaska Natives and the NPS. In Alaska and elsewhere, the Service will try to strengthen the ability of traditional and indigenous peoples to perpetuate their culture and to enrich the parks with traditional knowledge and a deeper sense of place.

Ethnographic information will be collected through collaborative research that recognizes the sensitive nature of such information. Cultural anthropologists/ethnographers will document the meanings that traditionally associated groups assign to traditional natural and cultural resources and the landscapes they form. The park's ethnography file will include this information, as well as data on the traditional management practices and knowledge systems that affect resource uses, and the short- and long-term effects of use on the resources.

(See Confidentiality 5.2.3. Also see Director's Order #29: Ethnography Program)

5.3.5.3.1 Resource Access and Use

Consistent with the requirements of the Organic Act, NHPA, AIRFA, ARPA, NEPA, and Executive Order 13007 cited in section 5.3.5.3 above, the Service will strive to allow American Indians and other traditionally associated peoples access to, and use of, ethnographic resources. Continued access to and use of ethnographic resources is often essential to the survival of family, community, or regional cultural systems, including patterns of belief and sociocultural and religious life. However, the Service may not allow access and use if it would violate the criteria listed in section 8.2.

The Service generally supports traditional access and use, and is considering policy and regulatory revisions that will clarify when reasonable accommodations can be made under NPS authorities to allow greater access and use. Park superintendents may reasonably control the times when, and the places where, specific groups may have exclusive access to particular areas of a park.

With regard to consumptive use of park resources, current NPS policy is reflected in regulations published at 36 CFR 2.1. These regulations allow superintendents to designate certain fruits, berries, nuts, or unoccupied seashells which may be gathered by hand for personal use or consumption if it will not adversely affect park wildlife or the reproductive potential of a plant species, or otherwise adversely affect park resources. The regulations do not authorize the taking, use, or possession of fish, wildlife, or plants for ceremonial or religious purposes, except where specifically authorized by Federal statute or treaty rights, or where hunting, trapping, or fishing are otherwise allowed. These regulations are currently under review, and NPS policy is evolving in this area.

Regulations addressing traditional subsistence uses that are authorized in Alaska by ANILCA are published at 36 CFR Part 13. Some park-specific enabling acts (e.g., Big Cypress National Preserve and Kaloka-Honokohau National Historical Park) allow subsistence or other traditional uses of park resources.

(See Native American Use 8.5; Special Park Uses 8.6; Collecting Natural Products 8.8; Consumptive Uses 8.9)

5.3.5.3.2 Sacred Sites

The National Park Service acknowledges that American Indian tribes, including native Alaskans, treat specific places containing certain natural and cultural resources as sacred places having established religious meaning, and as locales of private ceremonial activities. Consistent with Executive Order 13007, the Service will, to the extent practicable, accommodate access to and ceremonial use of Indian sacred sites by religious practitioners from recognized American Indian and Alaska native tribes, and avoid adversely affecting the physical integrity of such sacred sites.

In consultation with the appropriate groups, the Service will develop a record about such places, and identify any treatments preferred by the groups. This information will alert superintendents and planners to the potential presence of sensitive areas, and will be kept confidential to the extent permitted by law. The Service will collaborate with affected groups to prepare mutually agreeable strategies for providing access to

ordinarily gated or otherwise-inaccessible locales, and for enhancing the likelihood of privacy during religious ceremonies. Any strategies that are developed must comply with constitutional and other legal requirements. To the extent feasible and allowable by law, accommodations will also be made for access to, and the use of, sacred places when interest is expressed by other traditionally associated peoples, especially native Hawaiians and other Pacific islanders, and by American Indian peoples and others who often have a long-standing connection and identity with a particular park or resource.

Various ethnic groups, local groups with recently developed ties to resources in neighboring parks, and visitors to family and national cemeteries and national memorials also might use park resources for traditional or individual religious ceremonies. Mutually acceptable agreements may be negotiated with known groups to provide access to, and the use of, such places, consistent with constitutional and other legal constraints.

(See Confidentiality 5.2.3; Resource Access and Use 5.3.5.3.1; Native American Use 8.5; First Amendment Activities 8.6.3. Also see Director's Orders #66: The Freedom of Information Act and Protected Resource Information, and #71B: Sacred Sites; NHPA [16 USC 470w-3]; Executive Order 13007; 512 DM 3)

5.3.5.3.3 Research

The Park Service will maintain a program of professional cultural anthropological/ethnographic research, designed to provide NPS managers with information about relationships between park resources and associated peoples. Research will be undertaken in cooperation with associated peoples in an interdisciplinary manner whenever reasonable, especially in studies of natural resource use and ethnographic landscapes. Research findings will be used to inform planning, cultural and natural resource management decision-making, and interpretation, as well as to help managers meet responsibilities to associated peoples and other stakeholders in the outcomes of NPS decisions. Information required for an ethnographic resource inventory will be drawn from ethnographic research reports to the fullest extent possible.

Collaborative research dealing with recent or contemporary cultural systems and the resources of park-associated peoples will involve the groups in the design and implementation of the research and the review of research findings to the fullest possible extent. The Service will provide individuals or groups involved with, or directly affected by, the research with copies or summaries of the reports, as appropriate.

(See Park Planning Processes 2.3; Studies and Collections 4.2; Consultation 7.5.5; Native American Use 8.5. Also see Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes)

5.3.5.4 Historic and Prehistoric Structures

The treatment of historic and prehistoric structures will be based on sound preservation practice to enable the long-term preservation of a structure's historic features, materials, and qualities. There are three types of treatment for extant structures: preservation, rehabilitation, and restoration.

(Also see *Secretary of the Interior's Standards for the Treatment of Historic Properties*)

5.3.5.4.1 Preservation

A structure will be preserved in its present condition if:

- That condition allows for satisfactory protection, maintenance, use, and interpretation; or
- Another treatment is warranted but cannot be accomplished until some future time.

5.3.5.4.2 Rehabilitation

A historic structure may be rehabilitated (rehabilitation does not apply to prehistoric structures) for contemporary use if:

- It cannot adequately serve an appropriate use in its present condition; and
- Rehabilitation will retain its essential features and will not alter its integrity and character or conflict with approved park management objectives.

5.3.5.4.3 Restoration

A structure may be restored to an earlier appearance if:

- All changes after the proposed restoration period have been professionally evaluated, and the significance of those changes has been fully considered;
- Restoration is essential to public understanding of the park's cultural associations;
- Sufficient data about that structure's earlier appearance exist to enable its accurate restoration; and
- The disturbance or loss of significant archeological resources is minimized and mitigated by data recovery.

5.3.5.4.4 Reconstruction of Missing Structures

No matter how well conceived or executed, reconstructions are contemporary interpretations of the past rather than authentic survivals from it. The National Park Service will not reconstruct a missing structure unless:

- There is no alternative that would accomplish the park's interpretive mission;
- Sufficient data exist to enable its accurate reconstruction based on the duplication of historic features substantiated by documentary or physical evidence, rather than on conjectural designs or features from other structures;
- Reconstruction will occur in the original location
- The disturbance or loss of significant archeological resources is minimized and mitigated by data recovery; and
- Reconstruction is approved by the Director.

A structure will not be reconstructed to appear damaged or ruined. Generalized representations of typical structures will not be attempted.

(See *Environmental Monitoring and Control 5.3.1.4; Physical Access for Persons with Disabilities 5.3.2; Historic and Prehistoric Ruins 5.3.5.4.10*)

5.3.5.4.5 Movement of Historic Structure

Proposals for moving historic structures will consider the effects of movement on the structures, their present environments, their proposed environments, and the archeological research value of the structures and their sites. No historic structure will

be moved if its preservation would be adversely affected, or until the appropriate recovery of significant archeological data has occurred. Prehistoric structures will not be moved.

A nationally significant historic structure may be moved only if:

- It cannot practically be preserved on its present site; or
- The move constitutes a return to a previous historic location, and the previous move and present location are not important to the structure's significance.

A historic structure of less-than-national significance may be moved if:

- It cannot practically be preserved on its present site; or
- Its present location is not important to its significance, and its relocation is essential to public understanding of the park's cultural associations.

In moving a historic structure, every effort will be made to reestablish its historic orientation, immediate setting, and general relationship to its environment.

The Park Service will not acquire historic structures for relocation to parks.

5.3.5.4.6 New Construction

In preference to new construction, every reasonable consideration will be given to using historic structures for park purposes compatible with their preservation and public appreciation. Additions may be made to historic structures when essential to their continued use, and when new construction will not destroy historic materials, features, and spatial relationships that characterize the structure. Structural additions will harmonize in size, scale, proportion, and materials with, but be readily distinguishable from, the older work, and will not intrude upon the historic scene. New additions will meet the Secretary of the Interior's Standards for Rehabilitation.

In those areas of parks managed for the preservation, protection, and interpretation of cultural resources and their settings, new structures, landscape features, and utilities will be constructed only if:

- Existing structures and improvements do not meet essential park management needs; and
- New construction is designed and sited to preserve the integrity and character of the area.

Unless associated with an approved restoration or reconstruction, all alterations, additions, or related new construction will be differentiated from, yet compatible with, the historic character of the structure.

(See *Rehabilitation 5.3.5.4.2; Use of Historic Structures 5.3.5.4.7; Adaptive Use 9.1.1.4. Also see Executive Order 13006; NHPA*)

5.3.5.4.7 Use of Historic Structures

NHPA (16 USC 470h-2(a)(1)) and Executive Order 13006 require each federal agency—prior to acquiring, constructing, or leasing buildings—to use, to the maximum extent feasible, historic properties available to it, whenever operationally appropriate.

ate and economically prudent. NHPA also requires each agency to implement alternatives for the adaptive use of historic properties it owns, if that will help ensure the properties' preservation. Therefore, compatible uses for structures will be found whenever possible. This policy will help prevent the accelerated deterioration of historic structures due to neglect and vandalism. Unused significant historic structures should be stabilized and protected through appropriate measures, such as "mothballing," until long-term decisions are made through the planning process.

All uses of historic structures are subject to preservation and public safety requirements. No administrative or public use will be permitted that would threaten the stability or character of a structure, the museum objects within it, or the safety of its users, or that would entail alterations significantly compromising its integrity.

(See Fire Detection, Suppression, and Post-fire Rehabilitation and Protection 5.3.1.2; Physical Access for Persons with Disabilities 5.3.2; Adaptive Use 9.1.1.3; Energy Management 9.1.7; Historic Structures 9.4.3.3)

5.3.5.4.8 Park Structures Owned or Managed by Others
Structures and related property owned or managed by others will be managed in accordance with NPS policies, guidelines, and standards to the extent permitted by the Service's interest. This includes structures and property owned but not occupied by the Service, and structures and property owned by others in which the Service has a less-than-fee interest or plays a major management or preservation role. Interests acquired or retained by the Service will enable the application of this policy.

(See Land Protection Plans 3.3; Historic Property Leases and Cooperative Agreements 5.3.3; Historic Properties 10.2.2.3)

5.3.5.4.9 Damaged or Destroyed Historic Structures
Historic structures damaged or destroyed by fire, storm, earthquake, war, or any other accident may be preserved as ruins; be removed; or be rehabilitated, restored, or reconstructed in accordance with these policies.

5.3.5.4.10 Historic and Prehistoric Ruins
The stabilization of historic and prehistoric ruins will be preceded by studies leading to the recovery of any data that would be affected by stabilization work. Ruins and related features on unexcavated archeological sites will be stabilized only to the extent necessary to preserve research values or to arrest structural deterioration, recognizing that it is preferable to preserve archeological sites in situ than to excavate them. Archeological ruins to be exhibited will not be excavated until consultation has occurred with traditionally associated peoples, and adequate provisions are made for data recovery and stabilization. Structures will not be deliberately reduced to ruins, and missing structures will not be reconstructed to appear damaged or ruined.

5.3.5.5 Museum Collections

The Service will collect, protect, preserve, provide access to, and use objects, specimens, and archival and manuscript collections (henceforth referred to collectively as "collections," or individually as "items") in the disciplines of archeology, ethnography, history, biology, geology, and paleontology, to aid understanding among park visitors, and to advance

knowledge in the humanities and sciences. As appropriate, the Service will consult with culturally affiliated or traditionally associated peoples before treating or reproducing items in NPS collections that are subject to NAGPRA.

(Also see Museum Handbook)

5.3.5.5.1 Preservation

An item in a museum collection will be preserved in its present condition through ongoing preventive care if:

- That condition is satisfactory for exhibit or research; or
- Another treatment is warranted, but it cannot be accomplished until some future time.

An item will be stabilized if:

- Preventive measures are insufficient to reduce deterioration to a tolerable level; or
- The item is so fragile that it will be endangered under any circumstances.

Active conservation treatment (intervention) will be minimized to reduce the possibility of compromising the item's integrity. All active treatment will be documented.

5.3.5.5.2 Restoration

An item in a museum collection may be restored to an earlier appearance if:

- Restoration is required for exhibit or research purposes;
- Sufficient data about that item's earlier appearance exist to enable its accurate restoration; and
- Restoration will not modify that item's known original character.

Restoration will be accomplished using the techniques and materials that least modify the item and in such a manner that the materials can be removed at a later time with minimal adverse effect. Restored areas will be distinguishable from original material, and be documented. Restoration will take into account the possible importance of preserving signs of wear, damage, former maintenance, and other historical and scientific evidence.

5.3.5.5.3 Reproduction

Items needed for interpretive and educational presentations will be reproduced for such use when the originals are (1) unavailable; or (2) would be subject to undue deterioration or loss; or (3) are otherwise inappropriate for exhibit. If an object is inappropriate for exhibit because of its religious or spiritual significance to a traditionally associated people, it will be reproduced only after consultation with such people.

5.3.5.5.4 Acquisition, Management, and Disposition

Collections and related documentation essential to achieving the purposes and objectives of parks will be acquired and maintained in accordance with approved scope of collection statements for each park. When museum objects, specimens, or archival documents become available and fall within a park's approved scope of collection statement, every reasonable effort will be made to acquire them, if they can be managed and made accessible according to Service standards.

Archeological objects systematically collected within a park, and natural history specimens systematically collected within a park for exhibit or permanent retention, will be managed as part of the park's museum collection. The management and care of museum collections will be addressed at all appropriate levels of planning. Requisite levels of care will be established through the interdisciplinary efforts of qualified professionals.

Museum collections will be acquired and disposed of in conformance with legal authorizations and current NPS procedures. The National Park Service will acquire only collections having legal and ethical pedigrees. Each park will maintain complete and current accession records to establish the basis for legal custody of the collections in its possession, including intellectual property rights when acquired. Each park will prepare museum catalog records to record basic property management data and other documentary information about the park's museum collection. Collections will be inventoried in accordance with current procedures. Archeological, cultural landscape, ethnographic, historic and prehistoric structure, historic furnishings, natural resource, and other projects that generate collections for parks will provide for cataloging and initial preservation of those collections in the project budget.

The Service may cooperate with qualified entities in the management, use, and exhibition of museum collections, and may loan items to, or borrow items from, such entities for approved purposes. The Service may de-accession items using means authorized in the Museum Act and NAGPRA.

Interested persons will be permitted to inspect and study NPS museum collections and records in accordance with standards for the preservation and use of collections, and subject to laws and policies regarding the confidentiality of resource data. At cost, copies of documents may be provided.

(See Natural Resource Collections 4.2.3; Confidentiality 5.2.3; Fire Detection, Suppression, and Post-fire Rehabilitation and Protection 5.3.1.2; Environmental Monitoring and Control 5.3.1.4; Consultation 7.5.5; Special Park Uses 8.6; Museum Collections Management Facilities 9.4.2. Also see 16 USC 18f; 43 USC 1460; 36 CFR Part 79; 43 CFR Part 10; and Museum Handbook)

5.3.5.5.5 Historic Furnishings

When historic furnishings are present in their original arrangement in a historic structure, every effort will be made

to preserve them as an entity. Such historic furnishings will not be moved or replaced unless required for their protection or repair, or unless the structure is designated for another use in an approved planning document. The original arrangement of historic furnishings will be properly documented. A structure may be refurnished in whole or in part if:

- All changes after the proposed refurnishing period have been professionally evaluated, and their significance has been fully considered;
- A planning process has demonstrated that refurnishing is essential to public understanding of the park's cultural associations; and
- Sufficient evidence of the design and placement of the structure's furnishings exists to enable its accurate refurnishing without reliance on evidence from comparable structures.

Generalized representations of typical interiors will not be attempted except in exhibit contexts that make their representative nature obvious. Reproductions may be used in place of historic furnishings, but only when photographic evidence or prototypes exist to ensure the accurate re-creation of historic pieces.

(See Park Planning Processes 2.3; Nonpersonal Services 7.3.2)

5.3.5.5.6 Archives and Manuscripts

Archival and manuscript collections are museum collections, and will be preserved, arranged, cataloged, and described in finding aids. They will be maintained and used in ways that preserve the collections and their context (provenance and original order) intact while providing controlled access. With few legal exemptions, the Park Service will make archives and manuscripts available to researchers. Electronic documents that are to be preserved in archival and manuscript collections will be migrated so that their information remains accessible.

All documentation associated with natural and cultural resource studies and other resource management actions will be retained in the park's museum collection for use in managing park resources over time. Parks will retain notes or copies of records significant to their administrative histories when they periodically transfer their official records to federal record centers.

(See Confidentiality 5.2.3)